



MINUTES
OCONEE COUNTY COUNCIL
Regular Meeting
October 6, 2009

MEMBERS, OCONEE COUNTY COUNCIL

Mr. Reg Dexter, District V, Council Chairman
Mr. Joel Thrift, District IV, Vice Chairman
Mr. Mario Suarez, District III, Chairman Pro Tem
Mr. Paul Corbeil, District I
Mr. Wayne McCall, District II

Oconee County Council met on Tuesday, October 6, 2009 at 7:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members, Kendra Brown, Interim Administrator, Thomas L. Martin County Attorney and Elizabeth G. Hulse, Clerk to Council present.

Press:

Pursuant to the Freedom of Information Act, notice of the meeting, date, time, place of meeting and agenda were posted on the bulletin board at the County Administrative Offices, 415 South Pine Street, Walhalla, SC, and the County Council website [www.oconeese.com/council]. In addition it was made available to the newspapers, radio stations, television stations and concerned citizens.

Members of the press present: Ray Chandler – Anderson Independent, Dick Mangrum – WGOG Radio, Ashton Hester – Keowee Courier & Carlos Galarza - Daily Journal.

Call to Order:

Mr. Dexter called the meeting to order at 7:00 p.m.

Pledge of Allegiance:

Mr. Thrift led the pledge of allegiance to the United States Flag.

Minutes:

Mr. McCall made a motion, seconded by Mr. Thrift, approved 4 – 0 [Mr. Suarez had not yet arrived] that the minutes from the September 10, 2009 Special Council meeting with the Blue Ribbon Panel be adopted as printed.

Clerk to Council noted two typographical errors that have been corrected for minutes from the September 15, 2009 meeting. Mr. Corbeil made a motion, seconded by Mr. Thrift, approved 4 – 0 [Mr. Suarez had not yet arrived] that the minutes from the September 15, 2009 Regular Council meeting be adopted as amended.

Worklink Presentation to Council:

Ms. Nita Coleman, Executive Director, Worklink, addressed Council elaborating from her PowerPoint presentation [filed with these minutes] regarding the groups key functions, roles & responsibilities, mission & purpose, funding and accomplishments of Worklink. In addition, Ms. Coleman provided each Council member with Worklink's "County Council Guide to Worklink Workforce Investment Board" binder [one additional copy will be filed in the Clerk to Council office].

Service Presentation to Retiring Staff:

Resolution 2009-16:

Deputy Steve L. Dyar along with Captain Terry Wilson joined Chairman Dexter for the presentation on stage of Resolution 2009-16. Captain Wilson also assisted in the presentation of a Resolution from the SC Senate sponsored by Senator Alexander.

Mr. McCall made a motion, seconded by Mr. Thrift, approved 5 – 0 to approve on first and final reading **Resolution 2009-16** "A RESOLUTION HONORING DEPUTY STEVE L. DYAR AT THIS RETIREMENT"

Resolution 2009-17:

Sergeant Sam M. Cobb along with Captain Terry Wilson joined Chairman Dexter for the presentation on stage of Resolution 2009-17. Captain Wilson also assisted in the presentation of a Resolution from the SC Senate sponsored by Senator Alexander.

Mr. Thrift made a motion, seconded by Mr. McCall, approved 5 – 0 to approve on first and final reading **Resolution 2009-17** 'A RESOLUTION HONORING SERGEANT SAM M. COBB AT THIS RETIREMENT"

Public Comment Session:

Ms. Susie Cornelius addressed Council reading from a statement [filed with these minutes] regarding her concerns about the agreement between the City of Westminster and Oconee County as it relates to a joint fire station.

[Mr. Suarez arrived at this point in the meeting]

Mr. C. W. Richards addressed Council congratulating them on slowing the process for the selection of an Administrator and utilizing a professional search team.

Mr. Devoe Blackson addressed Council regarding his belief that property reassessment would provide better relief to citizens than a decrease in millage.

Extended Public Comment Session:

Mr. Tom Markovich addressed Council regarding procedures as they relate to the small area zoning, method #2. He outlined key areas of concern as follows:

- Multiple zoning requests per petition
 - Concern regarding individual requests in small area zoning that could not be requested individually
 - Standing
 - 8.3 – does it apply to small method? Not specifically stated that it does.
 - Initiation of maximum acreage for small zoning requests
- Council thanked Mr. Markovich for his input on this matter.

Consideration of the following Resolutions:

Resolution 2009-18:

Mr. Thrift made a motion, seconded by Mr. Suarez, approved 5 – 0 to approve on first and final reading **Resolution 2009-18** “A RESOLUTION AUTHORIZING AND SUPPORTING THE APPLICATION BY OCONEE COUNTY FOR ALL AVAILABLE FEDERAL OR STATE GRANT FUNDS FOR WHICH MATCHING COUNTY GRANT FUNDS HAVE PREVIOUSLY BEEN MADE AVAILABLE BY OCONEE COUNTY COUNCIL THROUGH THE OCONEE COUNTY OPERATING AND CAPITAL BUDGET OR FOR WHICH MATCHING FUNDS ARE NOT REQUIRED; COMMITTING SUCH PREVIOUSLY BUDGETED MATCHING FUNDS AS REQUIRED BY ANY SUCH GRANT; AUTHORIZING THE RECEIPT AND EXPENDITURE OF SUCH GRANT FUNDS; AND OTHER MATTERS RELATED THERETO.”

Consideration of the following Ordinances:

Ordinance 2009-15:

Chairman Dexter noted that this request was being withdrawn from consideration at the request of the petitioner and asked for a motion by Council to permanently remove this ordinance from consideration.

Mr. Suarez made a motion, seconded by Mr. Thrift, approved 5 – 0 to permanently remove Ordinance 2009-15 “AN ORDINANCE TO AMEND THE OCONEE COUNTY ZONING ENABLING ORDINANCE, ORDINANCE 2007-18, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, AS TO REZONE A SERIES OF PARCELS SPECIFIED HEREIN, AND TO RATIFY AND AFFIRM ALL OTHER PROVISIONS OF ORDINANCE 2007-18 NOT AMENDED OR MODIFIED HEREBY; AND OTHER MATTERS RELATING THERETO”.

Mr. Dexter also made a motion, seconded by Mr. Thrift, approved 5 – 0 to direct the Planning Department Staff for each new zoning request received to send a letter to each parcel owner within the re-zoning request area; notifying them of the specific request by the petitioner [specifically outlining different zoning classifications within the request area if not all the same]. This letter is to be done PRIOR to first reading [in title only] before Council. In addition, the letter should have a statement requesting feedback if they are not in agreement with the request and also should note that no response to the letter will denote agreement with the proposed zoning request.

Mr. Dexter noted that ample public input will be available outlining the process below:

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|----|-----------------------------|-------------------------------------------------|
| | Before First Reading | Letter sent for citizen input |
| 1. | First Reading in Title Only | Council send to Planning Commission |
| 2. | Planning Commission | They review, amend if needed, return to Council |
| 3. | Second Reading | |
| 4. | Public Hearing | |
| 5. | Third & Final Reading | |

Mr. Martin noted that method #2 is a “request” for zoning only and that it is the responsibility of the Council and the Planning Commission to verify the appropriateness of the request utilizing the Future Land Use Map as guidance. Mr. Martin stated that re-zoning can not be done by either referendum or petition – it can only be done by County Council on the recommendation of planning staff and the Planning Commission.

Ordinance 2009-18:

Mr. McCall made a motion, seconded by Mr. Thrift, approved 5 – 0 to approve **Ordinance 2009-18** “AN ORDINANCE AUTHORIZING THE TRANSFER OF AN EASEMENT FOR INGRESS, EGRESS AND UTILITIES ACROSS CERTAIN OCONEE COUNTY REAL PROPERTY AND AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGREEMENT RELATED TO THE SAME; AND OTHER MATTERS RELATED THERETO” and Exhibit A & Exhibit B on second reading.

Ordinance 2009-19:

Mr. Suarez made a motion, seconded by Mr. Thrift, approved 5 – 0 to approve **Ordinance 2009-19** “AN ORDINANCE AUTHORIZING THE TRANSFER OF INTEREST IN CERTAIN OCONEE COUNTY REAL PROPERTY AND AUTHORIZING THE EXECUTION AND DELIVERY OF AN ACCESS EASEMENT AGREEMENT RELATED TO THE SAME; AND OTHER MATTERS RELATED THERETO” and Exhibit A & Exhibit B on second reading.

Ordinance 2009-20:

Mr. Thrift made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve **Ordinance 2009-20** “AN ORDINANCE TO AMEND THE FISCAL YEAR 2009-2010 BUDGET APPROPRIATES ORDINANCE FOR OCONEE COUNTY IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY; AND OTHER MATTERS RELATED THERETO” on second reading.

Items for Consideration by Council:

PRT / Request to apply for the SC Parks and Recreation Development Fund (PARD) Grant / \$10,000 / rebuilding campsites at South Cove County Park:

Mr. McCall made a motion, seconded by Mr. Thrift, approved 5 – 0 to approve the PARD grant request in the amount of \$10,000, with a required 20% match of \$2,000 that will be taken from PRT line item 010-202-99999, and to approve the execution of an endorsement letter of support from Council [required by SC PARD] to accompany the grant request.

Funding Request / Old School - Hwy 11 / Mayor Sharon Nunnery / +/- \$100,000:

Mr. Dexter noted that Sharon Nunnery requested that this be removed from consideration at this meeting and rescheduled for October 20, 2009 at which point she should have received specific reports regarding needed repairs.

Agreement with City of Westminster / Shared Fire/EMS Station & Review Environmental Phase I Study:

Mr. Martin noted a minor typographical error that 4.95 acres should be listed as 14.95.

Mr. Thrift made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve the Agreement with the City of Westminster for a shared Fire/EMS Station as amended.

Airport / Work Authorization for Construction Phase Services for Runway 25 & Parallel Taxiway Extension Project / \$644,085:

Mr. Thrift made a motion, seconded by Mr. McCall, approved 5 – 0 to approve the Talbert & Bright work authorization is for construction phase services specifically for the 600' expansion of Runway 25 and Parallel Taxiway project in the amount of \$644,085 as outlined in the agenda item summary.

Board & Commission Appointments:

There we no Board or Commission appointments at this meeting.

Commission / Board Reports to Council:

Infrastructure Advisory Commission:

Mr. Bob Winchester, Chairman, introduced Mr. Bobby Williams, Vice Chair, and addressed Council regarding the Commissions mission, on-going projects and goals. Handouts were provided and are filed with these minutes.

Council Committee Reports:

Transportation Committee: Mr. Thrift read from a prepared statement regarding activities of the committee [filed with these minutes].

Mr. Thrift made a motion, seconded by Mr. Dexter, approved 5 – 0 to approve spending up to \$300,000 for the Jenkins Bridge Road replacement project and inclusion in the budget amendment.

Mr. Thrift made a motion, seconded by Mr. Suarez, approved 5 – 0 to approve spending up to \$100,000 for culvert replacement on Bennettsville Road.

Administrator's Report:

Ms. Brown had no report at this meeting.

Old Business:

No Old Business was addressed at this meeting.

New Business:

SC Chamber of Commerce & Silver Crescent Foundation Manufacture of the Year:

Mr. Corbeil read from a press release [filed with these minutes] noting that Sandvik/Valenite, located in Westminster, was the Medium Manufacturer of the Year.

Discussion regarding Scheduling Potential Council Meetings/Workshops:

Council meeting with Jail Architect & Tour of Jail: This meeting will be scheduled after receipt of the jail study report/recommendation.

Council Workshop with OJRSA Commissioners: Council tasked the Clerk to Council to coordinate with the OJRSA Director for a meeting on one of the following dates: October 27, 2009, November 10, 2009 or November 12, 2009 at 7:00 p.m.

Executive Session:

Mr. Suarez made a motion, seconded by Mr. Corbeil, approved 5 – 0 to enter into Executive Session for the purpose of discussing a contractual/personnel matter.

Council entered Executive Session at 8:32 p.m.

Council returned from Executive Session at 9:37 p.m. on a motion by Mr. Corbeil, seconded by Mr. Suarez, approved 5 – 0.

Mr. Dexter stated that no action was taken in Executive Session.

Mr. Corbeil made a motion, seconded by Mr. Thrift, approved 5 – 0 to hire Mr. James Eugene “Gene” Klugh as the Interim Administrator subsequent to execution of an employment agreement.

Mr. Dexter noted some of Mr. Klugh’s past experience and noted that he could begin working as early as Monday, October 12, 2009.

Mr. Dexter took the opportunity to again thank Ms. Kendra Brown and the Clerk to Council for outstanding jobs; noting that Council, staff and the public have all been very pleased with their performance over the last few months.

Adjourn:

Mr. Thrift made a motion, seconded by Mr. McCall, approved unanimously to adjourn the meeting at 9:43 p.m.

Respectfully Submitted:

Elizabeth G. Hulse
Clerk to Council